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Paper No. 8

In re application of
Robert John Barsotti et al.
Serial No. 09/482,724
Filed: January 13, 2000
For: GAS BARRIER COATING SYSTEM FOR POLYMERIC
FILMS AND RIGID CONTAINERS

DECISION ON
PETITION

This is a decision on the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed August 22, 2003, for failure to respond to the Office Action dated February 26, 2002. Petitioner contends that a timely response was filed.

DECISION

Since petitioner asserts that a timely response was filed, the request is accepted as a petition under 37 C.F.R. 1.181 (no fee). A review of the file and petitioner's evidence provided with the instant petition indicates that the request has merit.

Submitted as evidence is a copy of the response and a copy of the post card receipt from the USPTO, date stamped by OIPE on March 20, 2002, i.e. within one month.

Additionally, applicants' noted that the Notice of Abandonment was not received. A review of case revealed that the address was changed some time after mailing of the first Office Action. Such a change appears to be improper, since nothing in record shows such a request was made. Therefore the address will be changed back to that of which was originally filed, on the declaration of record.

Therefore, the Notice of Abandonment dated October 22, 2002 is hereby withdrawn.

The case will be returned to the LIE for 1) correction of the address, 2) returning the case to pending status, and 3) entering the response attached as exhibit A of the present petition. After such is completed the case will be forwarded to the examiner for prompt consideration.

The Petition is **GRANTED.**



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